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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,044	01/17/2001	Thomas Breymeier	END920000118US1(13996)	5682

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EXAMINER

NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/764,044	Applicant(s) BREYMEIER ET AL.	
	Examiner Dustin Nguyen	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19 and 24-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19 and 24-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 19 and 24-33 are presented for examination.

Response to Arguments

2. As per claim 19, Applicants do not provide any remarks/arguments to the previous rejection, therefore the claim remains rejected.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 24-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 24, 27, 30, Applicants do not specifically point out or provide support in specification for the claimed limitation of "request by a user via a web browser to display said web page based on said form document, said data document and said configuration document, configuring said form document in accordance with said configuration document and entering

Art Unit: 2154

said data entries from said data document into the respective indicated locations in the configured form document to generate said web page, said web page including said data entries indicated by said configuration document for display on said web page said web page not including data entries indicated by said form document but not indicated by said configuration document for display on said web page, and displaying said web page; and further comprising the subsequent steps of changing said configuration document, without changing said form document or said data document, to change which of said data entries should be displayed on said web page and upon request by a user via a web browser to display a web page based on said form document, said data document and said changed configuration document, configuring said form document in accordance with said changed configuration document and entering said data entries from said data document into the respective indicated locations in the form document configured based on said changed configuration document to generate a web page based on said changed configuration document, and displaying said web page based on said changed configuration document.”

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 24-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The claim language in the following claims is not clearly explained:

Art Unit: 2154

I. Claims 24, 27 and 30, the limitation of “said web page including said data entries indicated by said configuration document for display on said web page, said web page not including data entries indicated by said form document but not indicated by said configuration document for display on said web page” is not clearly defined.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 19 and 24-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugiarto et al. [US Patent No 6,278,449].

9. As per claim 19, Sugiarto discloses the invention substantially as claimed including a method for changing a page of a website [i.e. method for designating and retrieving information and individual portions of the at least one webpage are position within a single configuration display screen] [Figures 8-10; Abstract; and col 1, lines 45-48] comprising the steps:

providing a database [8, Figure 1; and col 3, lines 41-46];

Art Unit: 2154

storing in the database a view having contents therein [8, Figure 1; col 3, lines 41-46; and col 5, lines 25-38],

a configuration document describing characteristics of said page [i.e. configuration file] [col 2, lines 30-34; and col 4, lines 11-34], and

a form for reading said configuration document, for retrieving data from said view, and for placing said data on said page as described in said configuration document [i.e. the configuration file specifies the information the user would like to retrieve from the network and how that information is to be displayed] [col 2, lines 16-21; and col 4, lines 11-58]; wherein the view includes a multitude of data sets and the configuration document includes a multitude of instruction sets for displaying data on the page [i.e. various choices or selections] [Figures 5 and 6; and col 5, lines 56-col 6, lines 65], the data sets and the instruction sets are listed on the form [i.e. incorporate element by element into the editing screen and selection of fonts] [Figures 5 and 6; and col 6, lines 11-65],

accessing said form via a Uniform Resource Locator (URL) for the form [Figure 5; Abstract];

after accessing said form, looking up said view to obtain contents therefrom to display on the web page [i.e. obtain information from various sources] [col 2, lines 5-25];

selecting one of the data sets and one of the instruction sets, and displaying the selected data set on said page in accordance with the selected instruction set [i.e. current and future updated information corresponding to information content associated with each designated portion is retrieved and displayed on a screen in accordance with configuration file] [col 10, lines 13-22], includes the step of identifying on the form the selected data sets and the selected

Art Unit: 2154

instruction sets [i.e. incorporate element by element into the editing screen and selection of fonts] [Figures 5 and 6; and col 6, lines 11-65];

forming a page address from the names of said database and said form [Figure 5; and col 5, lines 56-col 6, lines 9];

accessing the web page via a Uniform Resource Locator for the page [i.e. select a particular web page from bookmark section] [Figure 5; and col 6, lines 1-9];

including in said URL for the web page a key for accessing the configuration document [col 5, lines 56-col 6, lines 9];

changing the web page without intervention from an application programmer [i.e. editing configuration file] [col 7, lines 31-46], including the steps of

accessing the configuration document by using said key [i.e. choices for locating configuration files] [Figure 4; and col 5, lines 39-55],

modifying the configuration document and saving the modified configuration document [i.e. allow user to modify the "look and feel" of their personalized information retrieval file] [col 7, lines 31-55],

examining and listing in real time all of said modifications to the configuration document by displaying the modifying in a browser, and directly displaying user defined data from the configuration document [i.e. refresh target button for review in target screen the modification] [570, Figure 5; and col 6, lines 54-65]; and embedding additional documents into the configuration document [i.e. embedded in the file] [col 8, lines 20-33].

Art Unit: 2154

10. As per claim 24, it is rejected for similar reasons as stated above in claim 19.

Furthermore, Sugiarto discloses wherein there are more data entries indicated by said form document than indicated by said configuration document to be displayed on said web page [i.e. link one or more items in the formatted page to one or more second formatted pages in a hierarchical manner] [col 9, lines 29-50], upon request by a user via a web browser to display said web page based on said form document, said data document and said configuration document, configuring said form document in accordance with said configuration document and entering said data entries from said data document into the respective indicated locations in the configured form document to generate said web page, said web page including said data entries indicated by said configuration document for display on said web page, said web page not including data entries indicated by said form document but not indicated by said configuration document for display on said web page, and displaying said web page [i.e. the formatted page incorporates information from three different websites] [Figure 7; and col 4, lines 36-54]; and further comprising the subsequent steps of changing said configuration document, without changing said form document or said data document, to change which of said data entries should be displayed on said web page and upon request by a user via a web browser to display a web page based on said form document, said data document and said changed configuration document, configuring said form document in accordance with said changed configuration document and entering said data entries from said data document into the respective indicated locations in the form document configured based on said changed configuration document to generate a web page based on said changed configuration document, and displaying said web page based on said changed configuration document [i.e. customized or personalized

Art Unit: 2154

information retrieval scheme and tailor the retrieval of information to the user's personal needs] [col 2, lines 36-42; and col 4, lines 11-34].

11. As per claim 25, Sugiarto discloses wherein there are a plurality of requests by users via a web browser to display the first said web page based on said form document, said data document and the first said configuration document, and in response to each of said requests, further comprising the steps of dynamically configuring said form document in accordance with said first configuration document and dynamically entering said data entries from said data document into the respective indicated locations in the configured form document to dynamically generate said first web page, and displaying said first web page, such that said first web page is generated dynamically from said form document, said first configuration document and said data document for each of said plurality of requests [i.e. dynamically build the user's personal administration page] [col 5, lines 25-38; and col 7, lines 32-46].

12. As per claim 26, it is rejected for similar reasons as stated above in claim 24. Furthermore, Sugiarto discloses wherein the first said configuration document and said changed configuration document are retained and usable after said subsequent steps [i.e. save configuration file in database for future use] [col 6, lines 29-31 and lines 62-65].

13. As per claims 27-29, they are rejected for similar reasons as stated above in claims 24-26.

Art Unit: 2154

14. As per claims 30-33, they are rejected for similar reasons as stated above in claims 24-26.

15. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Follansbee John can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen
Examiner
Art Unit 2154



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